IBM Docket No.: YOR920030071US1

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: APPARATUS AND METHOD FOR UTILIZING RECIRCULATED HEAT TO CAUSE REFRIGERATION

the specification of which:
(check one)

☒ is attached hereto.
☐ was filed on _____, as Application Serial No. _____ and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s): NONE

Number	Country	Day/Month/Year	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Applications: NONE

Serial No.	Filing Date	Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: We hereby appoint Richard M. Ludwin, Registration No. 33,010, Kevin M. Jordan, Registration No. 40,277, Christopher A. Hughes, Registration No. 26,914, John E. Hoel, Registration No. 26,279, Joseph C. Redmond, Jr., Registration No. 18,753, Stephen C. Kaufman, Registration No. 29,551, Robert M. Trepp, Registration No. 25,933, Louis P. Herzberg, Registration No. 41,500, Daniel P. Morris, Registration No. 32,053, Louis J. Percello, Registration No. 33,206, Douglas W. Cameron, Registration No. 31,596, Derek S. Jennings, Registration No. 41,473, Gail H. Zarick, Registration No. 43,303, Thu Ann Dang, Registration No. 41,544, and Wan Yee Cheung, Registration No. 42,410, and to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Send all correspondence to: **McGinn & Gibb, PLLC, 8321 Old Courthouse Rd., Vienna, Virginia 22182-3817. Customer No. 21254**

Telephone calls should be directed to Sean M. McGinn, McGinn & Gibb, PLLC at (703) 761-4100.

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(1) Inventor: Robert Jacob von Gutfeld

Signature: Robert Jacob von Gutfeld Date: 9/29/03

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